



THE CITY OF NEW YORK
LAW DEPARTMENT

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August 25, 2008

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Via Facsimile (212) 805-6304
Honorable Paul A. Crotty
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *August 26, 2008*
The application for an enlargement of time is denied. At our last conference, plaintiff's attorney said he would be out of town; this request was to take advantage of
Yevgeniy Dikler v. City of New York et al.
07 CV 5984 (PAC)(GWG)

Your Honor:

I am the Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the defense of this action, ostensibly commenced pursuant to 42 U.S.C. §§ 1983 and 1985. *well be enforced*

I write the Court to request a three week enlargement of the filing of summary judgment motions pursuant to F.R.C.P. Rule 56 (b) from August 26, 2008 to September 16, 2008. Pursuant to the Court's Order dated August 22, 2008, the City defendants conferred with counsel for co-defendants HWA Security and Vega and co-defendants have consented to this request. The City defendants also endeavored to confer with plaintiff's counsel by phone message and email in order to obtain plaintiff's counsel's consent to this application. However, counsel's voicemail indicated that he would be out of the office until August 31, 2008¹. *Sworn and Subscribed*

This is defendants City and Visconti's first request for an enlargement of the time to file a motion for summary judgment. Thus, we respectfully propose the following motion schedule for the Court's endorsement:

- (i) moving papers to be served on or before September 16, 2008;
- (ii) opposition papers to be served on or before October 14, 2008; and

¹ Counsel's voicemail also indicated that he would be checking his messages periodically, but as of the transmission of this application to the Court, he had not responded to the undersigned's messages.

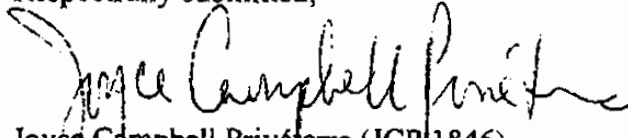
MEMO ENDORSED

MEMO ENDORSED

(iii) reply papers to be served on or before October 28, 2008.

We thank the Court for its consideration.

Respectfully submitted,



Joyce Campbell Privé (JCP1846)
Assistant Corporation Counsel

cc: **Via Facsimile (718) 604-3074**

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